



METROPOLITAN  
TRANSPORTATION  
COMMISSION

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## *Memorandum*

TO: Commission

DATE: July 18, 2007

FR: Legislation Committee

W. I.: 1131

RE: Committee Recommendations

The Legislation Committee met on July 13 and referred four items to the Commission.

1. **MTC Advisory Committee Appointments** – MTC’s three advisory committees each have two-year terms, expiring at the end of July. For the 2007-2009 term, recommended for appointment are 20 members to the MTC Advisory Council, 19 members to the Elderly and Disabled Advisory Committee, and 20 members to the Minority Citizens Advisory Committee, per Resolution 3516, Revised (Attachment A). One change to the list occurred since the Legislation Committee’s July 13 meeting: Margie Cooper, a recommended candidate for EDAC, has declined the appointment due to her increased workload. Staff will continue the search to fill all the vacancies and bring recommended candidates back in September.

**Committee Recommendation:** Approve Resolution No. 3516, Revised.

2. **SB 9 (Lowenthal)** – Proposition 1B: Trade Corridors Program – Provides direction to the California Transportation Commission regarding implementation of the \$2 billion Proposition 1B Trade Corridors Improvement Fund. SB 9 outlines criteria to guide the CTC as it selects projects. The Legislation Committee recommended adoption of principles (Attachment B) to guide MTC’s legislative advocacy relative to the trailer bill.

**Committee Recommendation:** Adopt principles for advocacy.

3. **SB 974 (Lowenthal)** – Container Fees – Requires the ports of Oakland, Los Angeles and Long Beach to collect a user fee from the owner of a container moving through the ports at a rate not to exceed \$30 per 20 ft.-equivalent unit. The money collected would be split evenly, with half of the revenues dedicated to a Congestion Relief Fund administered by the California Transportation Commission and the other half dedicated to a Port Mitigation Fund administered by the State Air Resources Board.

**Committee Recommendation:** Approve a position on SB 974 of “support and seek amendments” to affect a) structure of the user fee; b) the selection of projects such a fee would fund; and c) eligibility and flexibility for including highway projects.

### Details of the Proposed Amendments to SB 974

- a. Fee structure: The Port of Oakland (Port) would collect user fees from owners of container cargo, and deposit those fees into two special trust funds held by the Port,

rather than the state, for the purpose of 1) congestion mitigation and 2) air emissions mitigation. The fee charged and the amount deposited in the respective trust funds would be determined by the approved list of projects.

- b. Project selection: Projects to be funded by the congestion mitigation fund would be selected by the Port in consultation with the CTC, the City of Oakland, and MTC. Projects to be funded by the air emissions mitigation fund would be selected by the Port in consultation with the ARB and the Bay Area Air Quality Management District.
- c. Eligible projects: To allow flexibility for highway projects that are clearly related to goods movement, amend the language to allow:
  - 1) Highway projects that terminate or originate at the Port or are directly adjacent to port property, or
  - 2) Highway improvements that are in a highway corridor providing access to a port of entry *and* the improvement is restricted to truck use.
- 4. **HR 2783 (Tauscher)** – Emergency Relief Transit Reimbursement – Would allow the federal government to reimburse the state for the cost of additional transit service and traveler information provided in response to situation like the Macarthur Maze collapse. The bill would also ensure that such expenses would be reimbursable in the future.

**Committee Recommendation:** Approve a position of “support.”

